

Application No. : 10/669,677
Filed : September 23, 2003

REMARKS

Claims 1-25 were pending in the application. By this paper, Applicant has cancelled
5 Claims 14-18 without prejudice, consistent with Applicant's election of the species elected
above.

Traversal of Lack of Genericism - Species Restriction

By this paper, Applicant respectfully traverses the Examiner's assertion in Par. 1, page 2
10 of the Office Action that no claims as presented are generic to both species. Applicant notes that
the predominant distinction between the species of Figs. 3 and that of Figs. 4 is the use of a two-
piece cap element in the latter, versus a one-piece cap element in the former. Applicant notes that
none of the now-pending Claims (1-13 and 19-25) are in any way restricted or specific to either
a one-piece or two-piece cap element, and hence are by definition generic to both species cited by
15 the Examiner.

Other Remarks

Applicant hereby specifically reserves the right to prosecute claims of different or broader
scope in a continuation or divisional application.

20 Applicant notes that any cancellations or additions made herein are made solely for the
purposes of more clearly and particularly describing and claiming the invention and responding
to the aforementioned restriction election, and not for purposes of overcoming art or for
patentability. The Examiner should infer no (i) adoption of a position with respect to
patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of
25 the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on
such cancellations or additions.

Furthermore, any remarks made with respect to a given claim or claims are limited solely
to such claim or claims.


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If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (858) 675-1670.

Respectfully submitted,

GAZDZINSKI & ASSOCIATES

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By: 
Robert F. Gazdzinski
Registration No. 39,990
11440 West Bernardo Court, Suite 375
San Diego, CA 92127
Telephone No.: (858) 675-1670
Facsimile No.: (858) 675-1674